

EXHIBIT 4

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SKKY, INC., Case No. 0:13-cv-2086-PJS-JJG
Plaintiff, TRANSCRIPT
v. OF
MANWIN USA, INC., and PROCEEDINGS
MANWIN HOLDING, s. ar. 1., (MOTIONS HEARING)
Defendants.

SKKY, INC., Case No. : 0:13-cv-2089-PJS-JJG
Plaintiff,
v.
PLAYBOY ENTERPRISES, INC.,
Defendant.

SKKY, INC., Case No. : 0:13-cv-2085-PJS-JJG
Plaintiff,
v.
GENERAL MEDIA COMMUNICATIONS,
INC.,
Defendant

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2 SKKY, INC., Case No. : 0:13-cv-2087-PJS-JJG
3 Plaintiff,
4 v.
5 VIVID ENTERTAINMENT, LLC.,
6 Defendant.
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8 The above-entitled matters came on for MOTIONS HEARING
9 before Magistrate Judge Jeanne J. Graham, on September 25th,
10 2014, at the United States District Courthouse, Courtroom 3B,
11 316 N. Robert Street, St. Paul, Minnesota 55101, commencing
12 at approximately 2:14 p.m.

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14 DIGITALY RECORDED HEARING
15 TRANSCRIBED BY: RONALD J. MOEN, OFFICIAL COURT REPORTER
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17 CALIFORNIA CSR NO. : 8674
18 ILLINOIS CSR NO. : 084-004202
19 IOWA CSR NO. : 495
20 RMR NO. : 065111
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APPEARANCES

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ROBINS, KAPLAN, MILLER & CIRESI, L.L.P., 800

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LaSalle Avenue, Suite 2800, Minneapolis, Minnesota

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55402-2015, by RONALD J. SCHUTZ and RYAN M. SCHULTZ,

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Attorneys at Law, appeared as counsel on behalf of Plaintiff,

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Skky, Inc.

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VENABLE, L.L.P., 2049 Century Park East, Suite

8

2100, Los Angeles, California 90067, by TAMANY VINSON BENTZ,

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Attorney at Law, *pro hac vice*, appeared as counsel on behalf

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of Defendants, Manwin USA, Inc., Manwin Holding, s.ar. 1.,

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Playboy Enterprises, Inc., and General Media Communications,

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Inc.

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BERENS & MILLER, P.A., 80 South Eighth Street,

14

Suite 3720, Minneapolis, Minnesota 55402, by JUSTIN R.

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Miller, Attorney at Law, appeared as counsel on behalf of

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Defendants, Manwin USA, Inc., Manwin Holding, s.ar. 1.,

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Playboy Enterprises, Inc., General Media Communications,

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Inc., and Vivid Entertainment, LLC.

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1 THE COURT: I see.

2 MS. BENTZ: So when they say "its used website or
3 service, " it is, in effect, some indefinite problem --
4 indefinite idea of a website or a service. This is actually
5 one of the first things we argued with your Honor when they
6 had a motion to compel documents for us, and we said: "This
7 idea that you're not going to define the websites you're
8 talking about is not workable for Manafort." This is this --
9 that same issue.

10 THE COURT: Okay.

11 MS. BENTZ: The mobile-only issue is also a huge
12 problem. We do not keep mobile-only numbers. I should have
13 addressed this for Playboy too. But neither Playboy nor
14 Manwin keep, in the ordinary course, mobile-only numbers.

19 MS. BENTZ: Uh-huh.

20 THE COURT: So, you know, I like normally -- I mean
21 just completely different, but under -- you know, you can
22 have a summary chart and a rule of evidence and the other
23 side gets to see the underlying data -- IT may not be
24 admissible, but --

25 MS. BENTZ: Uh-huh.

1 THE COURT: -- so why isn't that -- why isn't it
2 like that? Why isn't it that if there's an aggregate that
3 there must be pieces to that aggregate that are. . . .

4 MS. BENTZ: So I think the first thing is what they
5 had asked for. I'll be candid, I was somewhat surprised they
6 had a problem with what we gave them because they asked for
7 documents sufficient to.

8 THE COURT: Okay.

9 MS. BENTZ: And, so, for some of the things, we
10 just didn't have -- like the mobile-only, we just didn't have
11 that. But I was surprised, because normally you have a
12 defendant who's trying to cut the number down; right? So you
13 might give them a piece of the aggregate but not the full
14 audited summary; right? Because the full audited summary is
15 revenues and you might try to cut that number down somehow.
16 And in this case we were giving them revenues so they could
17 see it. So I was surprised by that. The concern is that the
18 pieces may not be -- I don't -- since it's not a public
19 company, the question is what the pieces are, how they're
20 organized, and how accurate they are; right? There's no
21 expectation that the pieces -- that they keep the pieces
22 accurate. Their sense was that the audited financials were
23 the best thing to be sufficient to show.

24 THE COURT: Okay.

25 MS. BENTZ: And I think, your Honor, it's the same